

Remarks

Claims 1-25 remain pending.

Substantively, claims 1-7, 10-14, 18-21 and 24-25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Chao et al. (U.S. Patent No. 6,438,705 B1) in view of Krause (U.S. Patent No. 6,047,323). In addition, previously objected to claims 8-9, 15-16 & 22-23 are now rejected under 35 U.S.C. §103(a) as being unpatentable over Chao et al. and Krause, and further in view of Sonnier et al. (U.S. Patent No. 5,574,849). Each of these rejections is respectfully traversed and withdrawal thereof is requested for the reason set forth below.

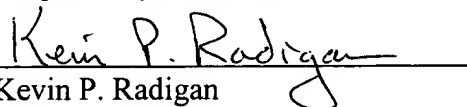
Applicants respectfully submit that the base patent to Chao et al., applied in each of the obviousness rejections stated in the Office Action, is not valid prior art against their claimed invention.

In particular, in accordance with 35 U.S.C. §103(c), subject matter developed by another person, which qualifies as prior art under one or more of subsections (e), (f) and (g) of section 102, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. The subject matter of Chao et al. qualifies as prior art under 35 U.S.C. §102(e), and that subject matter and the claimed invention were, at the time the invention was made, owned by International Business Machines Corporation, as represented by the recorded assignment documents in both the Chao et al. patent, recorded with the U.S. Patent and Trademark Office at Reel 009743, Frame 0743, and the present application, recorded with the U.S. Patent and Trademark Office at Reel 011203, Frame 0826. Additionally, although foreign counterpart applications related to the Chao et al. U.S. Patent No. 6,438,705 B1 were filed, none of those counterpart applications were published prior to the filing of the present application. The only published counterpart occurred in Europe on August 1, 2000; that is, after the filing date of the present application.

In view of the above, applicants respectfully request withdrawal of all rejections pending in the application.

All claims are believed to be in condition for allowance, and such action is respectfully requested. If the Examiner wishes to discuss this application further, the Examiner is invited to telephone applicants' below-listed representative.

Respectfully submitted,


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